

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROBERT WOOTEN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 13-3608 (CCC)

ORDER

This matter comes before the Court on the Motion to Vacate, Set Aside or Correct Sentence of Petitioner Robert Wooten, for relief under 28 U.S.C. § 2255. Petitioner has not objected to the Court treating this Motion as setting forth all grounds for relief and is his one, all-inclusive § 2255 motion pursuant to *United States v. Miller*, 197 F.3d 644 (3d Cir. 1999). (See ECF No. 3.) The Court has considered the Motion, the records of proceedings in this matter, the Answer of Respondent United States of America, Petitioner's traverse, as well as Petitioner's Motion to Dismiss Indictment, ECF No. 7. For the reasons stated in the Opinion filed on even date, and for good cause shown,

IT IS on this 20 day of January, 2017,

ORDERED that the Motion to Vacate, Set Aside or Correct Sentence, is hereby **DENIED** without prejudice; it is further

ORDERED that Petitioner's Motion to Dismiss the Indictment, ECF No. 7, construed as a supplement to the Motion to Vacate, is hereby **DENIED** without prejudice; and it is further

ORDERED that the Clerk shall serve this Order and the accompanying Opinion upon Petitioner, and shall **CLOSE** the file.

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke at the end.

Claire C. Cecchi, U.S.D.J.